

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LAURA JEAN LAVIN  
A.K.A. LAURA JEAN PETRUSCHELL  
A.K.A. LAURA P. MCMULLIN  
21001 Plummer Street #103  
Chatsworth, CA 91311

Registered Nurse License No. 350214

Respondent

Case No. 2012-366

OAH No. 2012030245

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **October 5, 2012.**

IT IS SO ORDERED **October 5, 2012.**

I hereby certify the  
foregoing to be a true copy  
of the documents on file in our office.

BOARD OF REGISTERED NURSING

*Louise R. Bailey M.Ed., RN*  
Louise R. Bailey, M. ED., RN  
Executive Officer



*Raymond Mallel*

Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 ZACHARY T. FANSELOW  
Deputy Attorney General  
4 State Bar No. 274129  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2562  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
7

8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:  
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12 **LAURA JEAN LAVIN, AKA**  
**LAURA JEAN PETRUSCHELL, AKA**  
13 **LAURA P. MCMULLIN**  
**21001 Plummer Street #103**  
**Chatsworth, CA 91311**  
14 **Registered Nurse License No. 350214**  
15 Respondent.

Case No. 2012-366  
OAH No. 2012030245  
**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 PARTIES

- 20
- 21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the  
22 Board of Registered Nursing. She brought this action solely in her official capacity and is  
23 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
24 Zachary T. Fanselow, Deputy Attorney General.
- 25 2. Laura Jean Lavin, aka Laura Jean Petruschell, aka Laura P. McMullin (Respondent)  
26 is representing herself in this proceeding and has chosen not to exercise her right to be  
27 represented by counsel.
- 28 3. On or about September 30, 1982, the Board of Registered Nursing issued Registered  
Nurse License No. 350214 to Laura Jean Lavin, aka Laura Jean Petruschell, aka Laura P.

1 McMullin (Respondent). The Registered Nurse License was in full force and effect at all times  
2 relevant to the charges brought in Accusation No. 2012-366 and expires on November 30, 2013.

3 JURISDICTION

4 4. Accusation No. 2012-366 was filed before the Board of Registered Nursing (Board),  
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
6 and all other statutorily required documents were properly served on Respondent on December  
7 19, 2011. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of  
8 Accusation No. 2012-366 is attached as Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in  
11 Accusation No. 2012-366. Respondent also has carefully read, and understands the effects of this  
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of her legal rights in this matter, including the right to a  
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
15 her own expense; the right to confront and cross-examine the witnesses against her; the right to  
16 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
17 compel the attendance of witnesses and the production of documents; the right to reconsideration  
18 and court review of an adverse decision; and all other rights accorded by the California  
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
21 every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation  
24 No. 2012-366, agrees that cause exists for discipline and hereby surrenders her Registered Nurse  
25 License No. 350214 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation she enables the Board to issue  
27 an order accepting the surrender of her Registered Nurse License without further process.

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1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
2 license history with the Board of Registered Nursing.

3 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
4 of the effective date of the Board's Decision and Order.

5 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
6 issued, her wall certificate on or before the effective date of the Decision and Order.

7 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
8 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
9 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
10 effect at the time the petition is filed, and all of the charges and allegations contained in  
11 Accusation No. 2012-366 shall be deemed to be true, correct and admitted by Respondent when  
12 the Board determines whether to grant or deny the petition.

13 5. If Respondent should ever apply or reapply for a new license or certification, or  
14 petition for reinstatement of a license, by any other health care licensing agency in the State of  
15 California, all of the charges and allegations contained in Accusation, No. 2012-366 shall be  
16 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
17 Issues or any other proceeding seeking to deny or restrict licensure.

18 6. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
19 years from the effective date of the Board of Registered Nursing's Decision and Order.

20 ACCEPTANCE

21 I have carefully read the Stipulated Surrender of License and Order. I understand the  
22 stipulation and the effect it will have on my Registered Nurse License. I enter into this  
23 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
24 be bound by the Decision and Order of the Board of Registered Nursing.

25  
26 DATED: 7-17-12

Laura Jean Lavin  
LAURA JEAN LAVIN, AKA LAURA JEAN  
PETRUSCHELL, AKA LAURA P. MCMULLIN  
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 7-16-12

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
MARC D. GREENBAUM  
Supervising Deputy Attorney General



ZACHARY T. FANSELOW  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 2012-366**

1 KAMALA D. HARRIS  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 MICHELLE MCCARRON  
Deputy Attorney General  
4 State Bar No. 237031  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2544  
6 Facsimile: (213) 897-2804  
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11 In the Matter of the Accusation Against:

Case No. 2012-366

12 **LAURA JEAN LAVIN,**  
13 **AKA LAURA JEAN PETRUSCHELL**  
**AKA LAURA P. MCMULLIN**  
14 **50 Majestic Court, Apt. 1102**  
**Moorpark, CA 93021**  
15 **Registered Nurse License No. 350214**

**A C C U S A T I O N**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about September 30, 1982, the Board of Registered Nursing issued Registered  
24 Nurse License Number 350214 to Laura Jean Lavin, aka Laura Jean Petruschell, aka Laura P.  
25 McMullin (Respondent). The Registered Nurse License was in full force and effect at all times  
26 relevant to the charges brought herein and expired on November 30, 2011.

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1 himself or herself, any other person, or the public or to the extent that such use impairs his or her  
2 ability to conduct with safety to the public the practice authorized by his or her license.

3 "(c) Be convicted of a criminal offense involving the prescription, consumption, or  
4 self-administration of any of the substances described in subdivisions (a) and (b) of this section,  
5 or the possession of, or falsification of a record pertaining to, the substances described in  
6 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence  
7 thereof.

8 8. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
9 revoke a license on the ground that the licensee has been convicted of a crime substantially  
10 related to the qualifications, functions, or duties of the business or profession for which the  
11 license was issued.

#### 12 REGULATORY PROVISIONS

13 9. California Code of Regulations, title 16, section 1444, states:

14 "A conviction or act shall be considered to be substantially related to the qualifications,  
15 functions or duties of a registered nurse if to a substantial degree it evidences the present or  
16 potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
17 safety, or welfare. Such convictions or acts shall include but not be limited to the following:

18 . . . .

19 "(c) Theft, dishonesty, fraud, or deceit."

#### 20 COST RECOVERY

21 10. Section 125.3 of the Code provides in part, that the Board may request the  
22 administrative law judge to direct a licentiate found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case.

#### 25 FIRST CAUSE FOR DISCIPLINE

##### 26 (Criminal Convictions)

27 11. Respondent is subject to disciplinary action under Code sections 490 and 2761  
28 subdivision (f), in conjunction with California Code of Regulations 1444 and 1444 subdivision

1 (c), in that Respondent sustained two criminal convictions that are substantially related to the  
2 functions, qualifications and duties of a registered nurse. The circumstances are as follows:

3 a. On or about August 30, 2010, in a proceeding entitled *The People of the State of*  
4 *California v. Laura Jean Lavin*, (Superior Court County of Ventura, Case No. 2010026684),  
5 Respondent plead guilty and was convicted of one misdemeanor violation of Vehicle Code  
6 23152(b) [Driving Under the Influence with .08% or Higher Blood Alcohol]. Respondent  
7 admitted to the special enhancement, under Vehicle Code 23578, to driving with a Blood Alcohol  
8 content of .15% or greater. The court found this allegation to be true. Respondent was placed on  
9 36 months probation; ordered to have a one (1) year ignition interlock device; ordered to pay a  
10 fine; ordered to attend a nine (9) month DUI first Offender Program; and sentenced to 48 hours in  
11 Jail. The circumstances of the conviction are that on or about July 27, 2010, Respondent was  
12 seen traveling at a high rate of speed, driving erratically on a front tire that was completely gone  
13 with sparks shooting out from the wheel well.

14 b. On or about January 12, 2010, in a proceeding entitled *The People of the State of*  
15 *California v. Laura Jean Lavin*, (Superior Court County of Ventura, Case No. 2009045922),  
16 Respondent was convicted of one misdemeanor violation of Penal Code 484(a) [Petty Theft].  
17 Respondent was placed on 36 months probation and sentenced to five (5) days in jail. The  
18 circumstances of the conviction are that on or about December 14, 2009, Respondent stole items  
19 from a department store.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Use of Alcohol in Dangerous Manner)**

22 12. Respondent is subject to disciplinary action under Code section 2762 subdivision (b)  
23 in that Respondent used alcohol in a manner dangerous or injurious to herself or others.  
24 Complainant's allegations as set forth in paragraph 11(a), are incorporated by reference as though  
25 fully set forth.

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**THIRD CAUSE FOR DISCIPLINE**

**(Alcohol Related Conviction)**

13. Respondent is subject to disciplinary action under Code section 2762 subdivision (c), in that Respondent was convicted of a criminal offense involving the consumption, or self-administration of alcohol. Complainant's allegations as set forth in paragraph 11(a), are incorporated by reference as though fully set forth.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 350214, issued to Laura Jean Lavin, aka Laura Jean Petruschell, aka Laura P. McMullin;
- 2. Ordering Laura Jean Lavin, aka Laura Jean Petruschell, aka Laura P. McMullin to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and
- 3. Taking such other and further action as deemed necessary and proper.

DATED: December 15, 2011

*Louise R. Bailey*  
 LOUISE R. BAILEY, M.ED., RN  
 Executive Officer  
 Board of Registered Nursing  
 Department of Consumer Affairs  
 State of California  
 Complainant

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